

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JEFF YOUNG, on behalf of himself  
and all others similarly situated,

Plaintiff,

vs.

No. 4:17-CV-06252-YGR

CREE, INC.,

Defendant.

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DEPOSITION of JESSE DAVID  
LOS ANGELES, CALIFORNIA  
WEDNESDAY, APRIL 17, 2019  
VOLUME 1

Reported by  
Daryl Baucum, RPR, CRR, RMR, CSR No. 10356  
Job No. 3293340  
PAGES 1 - 120

Page 1

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No. 4:17-CV-06252-YGR

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DEPOSITION of JESSE DAVID, at 515 South  
Flower Street, Suite 1000, Los Angeles,  
California, beginning at 9:30 a.m., and ending  
at 12:42 p.m., on Wednesday, April 17, 2019,  
before Daryl Baucum, RPR, CRR, RMR,  
CSR No. 10356.

1 APPEARANCES OF COUNSEL:

2  
3 FOR THE PLAINTIFF:

4  
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Page 3

I N D E X

WITNESS: JESSE DAVID

EXAMINATION

PAGE

BY: MR. WOODS

6

QUESTIONS WITNESS WAS INSTRUCTED NOT TO ANSWER:

(NONE)

INFORMATION TO BE SUPPLIED:

(NONE)

## DEPOSITION EXHIBITS

JESSE DAVID

NUMBER	DESCRIPTION	PAGE
Exhibit 1	Plaintiff Jeff Young's Notice of Deposition of Jesse David, PhD	8
Exhibit 2	IMSE pertServices Invoice No. 36379 Invoice Date: February 28, 2019	19
Exhibit 3	IMSE pertServices Invoice No. 36578 Invoice Date: March 28, 2019	19
Exhibit 4	Expert Report of Jesse David, PhD	34
Exhibit 5	Expert Report of Stefan Boedeker in Support of Plaintiff's Motion for Class Certification January 18, 2018	64

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, APRIL 17, 2019.

2 9:30 A.M.

3  
4 JESSE DAVID,

5 having been first duly sworn, was  
6 examined and testified as follows:

7  
8 EXAMINATION

9 BY MR. WOODS:

10 Q Dr. David, I introduced myself off the  
11 record. My name is Clinton Woods. I represent the  
12 plaintiff and putative class in this matter.

13 Could you, please, state and spell your  
14 name for the record.

15 A Jesse David, J-E-S-S-E, D-A-V-I-D.

16 Q And I also asked you off the record what  
17 do you prefer being called, "Mr. David" or  
18 "Dr. David," and you said "Dr. David" was fine. So  
19 I will go with that.

20 A Thank you for asking. Most people don't.

21 Q Dr. David, how many times have you been  
22 deposed before?

23 A About sixty or so.

24 Q So you are relatively familiar with the  
25 process?

1 filed my report. As to when each of the particular  
2 documents arrived in my office or -- well, they were  
3 all delivered electronically, but I don't recall  
4 exactly, but it was over a period of several weeks  
5 or months leading up to the filing of my report.

6 Q You were provided the documents on a  
7 rolling basis. Is that fair to say?

8 A They came in at -- different documents  
9 came in at different times. That is correct.

10 Q And you don't have a specific recollection  
11 of how many times a particular production of  
12 documents was given to you?

13 A It was multiple. I don't recall exactly  
14 how many separate E-mails or FTP's or whatever I  
15 received.

16 MR. WOODS: Is it a good time for a break?

17 MR. RICHTER: Sure.

18 (Off the record.)

19 BY MR. WOODS:

20 Q The documents that you list in your CV --  
21 strike that -- in the appendix of materials  
22 considered, and specifically with regard to the Cree  
23 documents, did you -- you relied on those documents  
24 in order to perform your conclusions listed in your  
25 report, correct?



1           A       That is one source of information for my  
2 conclusions, yes.

3           Q       Was it necessary for you to look at the  
4 Cree documents in order to form the conclusions in  
5 your report?

6           A       Some of the conclusions are based on  
7 some of the documents.

8           Q       Right.

9                    So, for example, if you look at page 30  
10 and 31, Section 8 of your report, you rely on  
11 several Cree documents in order to form the  
12 conclusions in that section, correct?

13          A       Yes.

14          Q       And it was necessary for you to look at  
15 those documents in order to understand Cree's  
16 business strategy; is that correct?

17          A       I don't know that it was necessary. It  
18 informed my understanding of Cree's business  
19 strategy. My discussion with Mr. Schwab also  
20 informed that understanding.

21          Q       But you relied upon those documents in  
22 order to form your conclusions about Cree's business  
23 strategy, correct?

24          A       I did.

25          Q       So turning to your CV and your testimony

1 I, DARYL BAUCUM, a Certified Shorthand  
Reporter of the State of California, do hereby  
2 certify;

3 That the foregoing proceedings were taken  
4 before me at the time and place herein set forth,  
5 at which time the witness named in the foregoing  
6 proceeding was placed under oath; that a record  
7 of the proceedings was made by me using machine  
8 shorthand which was thereafter transcribed under my  
9 direction; and that the foregoing pages contain a  
10 full, true and accurate record of all proceedings  
11 and testimony to the best of my skill and ability.

12 I further certify that I am neither  
13 financially interested in the outcome nor a relative  
14 or employee of any attorney or any party to this  
15 action.

16 IN WITNESS WHEREOF, I have subscribed my  
17 name this 24th day of April, 2019.

18  
19  
20  
21  
22  
23   
24

DARYL BAUCUM, CSR No. 103561